IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

WP(C).No. 28987 of 2007(A)

PETITIONER:

SHAJAHAN S.,
S.S. VILLA, NEAR VICTORY COLLEGE,
VALAKKODU, PUNALOOR.

BY ADV. SRI.C.R.SIVAKUMAR
SMT.G.VIDYA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE PUNALOOR MUNICIPALITY,
REPRESENTED BY THE SECRETARY, PUNALOOR.

3. THE CHAIRMAN,
MUNICIPAL COUNCIL, THE PUNALOOR MUNICIPALITY,
PUNALOOR.

R1 BY SR.GOVT.PLEADER SRI.K.J.MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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W.P.(C)No.28987 OF 2007

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DATED THIS THE 1ST OCTOBER, 2007

J U D G M E N T

Ext.P3 final order passed by the Secretary of the Municipality under Section 406(3) is under challenge in this Writ Petition. Counsel for the petitioner submits that an appeal has been preferred to the Municipal Council. But, as rightly submitted by the learned Government Pleader, appeal can lie only to the Tribunal for Local Self Government Institutions. I dispose of the Writ Petition relegating the petitioner to statutory appellate remedies. However, there will be a direction to the Municipality not to enforce Ext.P3 for a period of one month from today.

(PIUS C.KURIAKOSE, JUDGE)

tgl